

MESSAGE NO: 9217201 MESSAGE DATE: 08/05/2009

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: SCO-Scope PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-901

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/01/2007 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS BASED UPON AN ANTIDUMPING SCOPE RULING ON CERTAIN LINED PAPER PRODUCTS (CLPP) FROM CHINA (A-570-901); VERA BRADLEY'S CLIP NOTES

MESSAGE NO: 9217201

DATE: 08 05 2009

CATEGORY: ADA

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REFERENCE:

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CASES: A - 570 - 901

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PERIOD COVERED: 09 01 2007 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS BASED UPON AN ANTIDUMPING SCOPE RULING ON CERTAIN LINED PAPER PRODUCTS (CLPP) FROM CHINA (A-570-901); VERA BRADLEY'S CLIP NOTES

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM VERA BRADLEY, INC. (VERA BRADLEY). COMMERCE ISSUED A FINAL SCOPE RULING ON 07/29/2009, THAT VERA BRADLEYS CLIP NOTES ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CLPP FROM THE PRC (CASE NUMBER: A-570-901).

2. COMMERCE DETERMINED THAT VERA BRADLEYS CLIP NOTES WHICH WERE IMPORTED FROM THE PRC BY VERA BRADLEY UNDER HTS #

4820.10.2020 AND CONTAIN A STANDARD SIZED CLIPBOARD MEASURING 10 X 14 WITH A HINGED METAL CLIP AT THE TOP AND A SINGLE PAD OF LINED PAPER MEASURING 8 X 11, WHERE THE CLIP BOARD AND THE SINGLE PAD OF PAPER ARE DECORATED WITH VERA BRADLEYS PATTERN DESIGN DO NOT MEET THE DESCRIPTION OF MERCHANDISE SUBJECT TO THE SCOPE OF THE ORDER ON CLPP FROM THE PRC.

COMMERCE'S DECISION IS BASED ON THE FACT THAT THE CLIPBOARD ALONG WITH ITS HINGED METAL CLIP DOES NOT FIT IN ANY DESCRIPTION OF THE SCOPE LANGUAGE OF THE CLPP ORDER AND THAT THE SINGLE PAD OF PAPER CONTAINED IN VERA BRADLEYS CLIP NOTES IS NOT A SUBSTANTIAL COMPONENT OF THE CLIP NOTES ITSELF. THEREFORE, VERA BRADLEYS CLIP NOTES ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CLPP FROM THE PRC.

3. EFFECTIVE 09/01/2007, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF VERA BRADLEYS CLIP NOTES LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO VERA BRADLEYS CLIP NOTES LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF VERA BRADLEYS CLIP NOTES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 09/01/2007.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION.

THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. FOR ALL OTHER SHIPMENTS OF VERA BRADLEYS OTHER PRODUCTS FROM THE PRC NOT COVERED BY PARAGRAPH #2 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O3:CR).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE FURGUSON

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party